

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CHAMBERS OF
AARON E. GOODSTEIN
U.S. MAGISTRATE JUDGE

U.S. COURTHOUSE
517 E. WISCONSIN AVENUE
MILWAUKEE, WISCONSIN 53202
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January 7, 2009

Nishay K Sanan Esq
327 S Plymouth Ct - Unit 201
Chicago, IL 60604

RE: United States v. Derrick Avery
Case No. 09-CR-196

Dear Attorney Sanan:

At the hearing on January 5, 2010, you raised two complaints which have an impact on the pretrial processing of this case. The first was the inability of your client to access discovery materials at the Kenosha County Detention Center (KCDC). The second was the complaint that his attorney/client relationship was being interfered with because privileged mail was opened, read and even copied by officials at KCDC. It is only legal mail in conjunction with this action that warrants the attention of this court.

I instructed the AUSA to investigate these complaints and file a report with the court, which was done on January 6, 2010. AUSA Wall's letter first indicates that discovery has been made available to Mr. Avery and he has availed himself of the computer at the facility. In regard to the complaint of interfering with privileged mail, Mr. Avery's allegations have been denied and Attorney Wall has set forth the KCDC policy, attaching a copy of its transaction log for your client.

If you believe these two complaints have not been resolved, you should file a motion on behalf of the defendant seeking appropriate relief. If you further believe that an evidentiary hearing may be necessary to resolve factual disputes, the procedure set forth in Criminal Local Rule 12.3 must be filed.

Very truly yours,

s/ Aaron E. Goodstein

Aaron E. Goodstein
United States Magistrate Judge

cc: AUSA Joseph Wall